In the High Court of Judicature at Madras

Dated:03.07.2006

Coram:

The Hon'ble Mr. Justice P. SATHASIVAM
and
The Hon'ble Mr. Justice V. DHANAPALAN

Habeas Corpus Petition No.420 OF 2006

S. Ansar Basha .. Petitioner

vs.

1. The Inspector of Police
   S-10 Pallikaranai Police Station
   Kancheepuram District.

2. Ramachandran
3. Angayarkanni
4. Saravanan .. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Habeas corpus directing the respondents to produce the petitioner's daughter Reshma Banu aged 17 years before this Court and hand over her to his custody as stated therein.

For petitioner : M/s. Siraj & Siraj

For respondents : Mr. M. Babu Muthu Meeran
Addl. Public Prosecutor for R.1

Mr. R. Maharajan for R.4

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ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

The petitioner, S. Ansar Basha, has filed the above petition for production of his daughter Reshma Banu before this Court and hand over her custody.

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2. Pursuant to the direction, the detenue Reshma Banu appeared before us. According to her, she is a major; her date of birth being 02.07.1988. On our enquiry, she asserted that she married the 4th respondent Saravanan on 10.04.2006 at Mangadu Temple. She further informed us that from the date of her marriage, she is living with her husband, 4th respondent herein, along with his parents. She also asserted that she wish to continue to live with 4th respondent.

3. Fourth respondent by name Saravanan also appeared before us. We enquired him. He expressed that at his own volition, he married the detenue Reshma Banu at Mangadu Temple on 10.04.2006 and according to him, both of them are living along with his parents at Pallikaranai. His above statement is hereby recorded.

In view of the fact that the detenue being a major and her assertion that she is living with the 4th respondent as per her own will and not under force of any one, we are of the view that no further adjudication is required in this petition and she is set at liberty. It is made clear that we have not expressed anything about the validity or otherwise about the marriage set to have taken place on 10.04.2006. With the above observation, this petition is closed.

kh

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Inspector of Police
   S-10 Pallikaranai Police Station
   Kancheepuram District.

2. The Public Prosecutor,
   High Court, Madras.

1 cc to M/s.Siraj & Siraj, Advocate, SR.28130

JE (CO)

dv/5.7.06

Order in
H.C.P.No.420 of 2006

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